

## REMARKS

Claims 1-38 are currently pending in this application. Claims 1-38 have been rejected. Claims 6, 20, and 32 have been amended to clarify aspects of the invention. No new matter has been added. Reconsideration and withdrawal of the rejections set forth in the Office Action dated November 8, 2007 are respectfully requested.

### **35 U.S.C. §102 Rejection**

Claims 1-38 stand rejected under 35 U.S.C. §102(e) as being anticipated by Aoki (US Patent No. 7,224,778).

### **The Prior Art**

Aoki is distinguishable from the present application because Aoki fails to teach processing the e-mail address and contextual information for learning-based use and Aoki fails to teach collecting opt-out or unsubscribe email information including input from a plurality of sources, including HTML form inputs, HTTP links, bulk text-file import, or other input mechanisms. Further, even though Aoki describes double opt-out confirmation and coordinating updates using a subscription database among various parties and these may be considered as an example of best practices, Aoki does not explicitly disclose configuring legal standards and best practices and querying in real time.

Aoki describes a method and apparatus for managing subscription-type arrangements involving a recurring series of messages sent to a plurality of user recipients on a communications network. Incoming messages are monitored by a filtering agent and provisions are made for a communication service provider to create special arrangements with commercial partners to facilitate the starting, modification, and canceling of subscription arrangements (Abstract).

Aoki teaches that a set of relatively sophisticated filter rules is provided to automatically monitor and process incoming messages relating to a user independently initiating a subscription from either a third party source, or from a commercial partner of the message service provider (col. 4, lines 45-54).

However, Aoki fails to teach processing the e-mail address and contextual information for learning-based use, as specified in claim 1. The specifications on page 7 of the application clearly point out that learning-based method is adaptive/predictive evaluation of data & conditions to determine output (regarding opt-out/unsubscribe). Aoki only mentions filter rules, not learning-based use.

Aoki teaches that the subscription manager and associated database coordinates updated subscription information to be automatically provided to the service provider's database as well as to any and all types of message originators, including partners, subscription sources with Web page interfaces or email interfaces (col. 6, lines 35-42).

However, Aoki fails to teach collecting opt-out or unsubscribe email information including input from a plurality of sources, including HTML form inputs, HTTP links, bulk text-file import, or other input mechanisms. The web page or email interfaces quoted in col. 6, lines 35-42 of Aoki are recipients of the automatically provided updated subscription information, and should be distinguished from input sources for collecting opt-out or unsubscribe email information.

Aoki teaches subscriptions database in col. 5, lines 11-26; optional requirement of double opt-out confirmation to avoid inadvertent cancellations in col. 5, line 40-col. 6, line 3; subscription manager and associated database coordinating update, messaging among service provider, partner and subscriber in col. 6, lines 35-42.

However, Aoki fails to teach configuring and maintaining rule sets and definitions regarding "legal standards" and "best practices", querying in real time whether sending a particular e-mail conforms to "legal standards" or "best practices" for each e-mail address, responding on the query. Even though double opt-out confirmation and coordinating updates using subscription database among various parties may be considered as an example of best practices, Aoki does not explicitly disclose configuring legal standards and best practices and querying in real time.

**Prior Art Distinguished**

**Claim 1:**

As described above, Aoki fails to teach processing the e-mail address and contextual information for learning-based use, as specified in claim 1. The specifications on page 7 of the present application clearly point out that learning-based method is adaptive/predictive evaluation of data & conditions to determine output (regarding opt-out/unsubscribe). Aoki only mentions about filter rules, but not learning-based use, while claim 1 has both elements ("rule-based and learning based use").

Therefore, the applicant submits that Aoki does not anticipate claim 1 and respectfully requests that claim 1 be allowed.

**Claim 2:**

As described above, Aoki fails to teach collecting opt-out or unsubscribe email information including input from a plurality of sources, including HTML form inputs, HTTP links, bulk text-file import, or other input mechanisms. The web page or email interfaces quoted in col. 6, lines 35-42 of Aoki are recipients of the automatically provided updated subscription information, and should be distinguished from input sources for collecting opt-out or unsubscribe email information.

Therefore, the applicant submits that Aoki fails to teach the additional limitation of claim 2. Further, claim 2 depends from independent claim 1 and claim 2 is allowable for at least for that reason. Therefore, the applicant respectfully requests that claim 2 be allowed.

**Claims 3-5, 7-12:**

These claims depend from claim 1 and allowable for at least for that reason. Therefore, the applicant respectfully requests that claims 3-5, 7-12 be allowed.

**Claim 6:**

As described above, Aoki fails to teach configuring and maintaining rule sets and definitions regarding "legal standards" and "best practices", querying in real time whether

sending a particular e-mail conforms to "legal standards" or "best practices" for each e-mail address, responding on the query. Even though double opt-out confirmation and coordinating updates using subscription database among various parties may be considered as an example of best practices, these are mentioned as a specific implementation option for a subscription provider. Aoki does not explicitly disclose configuring legal standards and best practices and querying in real time. Claim 6 is amended to emphasize the difference between the prior art and claim 6 by adding the language "querying in real time whether sending a particular e-mail conforms to "legal standards" or "best practices" for each e-mail address".

Therefore, the applicant submits that Aoki fails to teach the additional limitation of claim 6. Further, claim 6 depends from independent claim 1 and claim 6 is allowable for at least for that reason. Therefore, the applicant respectfully requests that claim 6 be allowed.

**Claim 13:**

For similar reasons as described for claim 1, the applicant submits that Aoki does not anticipate claim 13 and respectfully requests that claim 13 be allowed.

**Claims 14-15, 27-19, 21-26:**

These claims depend directly or indirectly from claim 13 and allowable for at least for that reason. Therefore, the applicant respectfully requests that claims 14-15, 27-19, 21-26 be allowed.

**Claim 16:**

For similar reasons as described for claim 2, the applicant respectfully requests that claim 16 be allowed.

**Claim 20:**

For similar reasons as described for claim 6, the applicant respectfully requests that claim 20 be allowed.

**Claim 27:**

For similar reasons as described for claim 1, the applicant submits that Aoki does not anticipate claim 27 and respectfully requests that claim 27 be allowed.

**Claim 28:**

For similar reasons as described for claim 2, the applicant respectfully requests that claim 28 be allowed.

**Claims 29-31, 33-38:**

These claims depend from claim 27 and allowable for at least for that reason.  
Therefore, the applicant respectfully requests that claims 29-31, 33-38 be allowed.

**Claim 32:**

For similar reasons as described for claim 6, the applicant respectfully requests that claim 32 be allowed.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2207, under Order No. 59149-8004.US01 from which the undersigned is authorized to draw.

Dated: March 5, 2008

Respectfully submitted,

By 

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